

REMARKS

Reconsideration of the present application is respectfully requested for the reasons that follow.

Objections to the Specification

The Examiner has objected to the disclosure for failure to include a "Cross-References to Related Applications" section. Attached to this response is a copy of the Preliminary Amendment filed September 19, 2005. The requested related application information is on page 2 of that Preliminary Amendment. This page of the Preliminary Amendment was apparently misplaced at the USPTO following its submission. Would the Examiner please let us know if he wants a formal amendment to resubmit this information?

Claim Objections

The Examiner has requested that the status of claim 13 be clarified. Please note that the "withdrawn" status indicator in the previous Office Action response was a typographical error. Claim 13 is not withdrawn and the status indicator has been changed in this listing of claims to reflect that.

With regard to the Examiner's objection to claim 12, it is noted that the typographical errors have been corrected.

Rejections under 35 USC § 112, first paragraph

Claims 9-11 are rejected under 35 U.S.C. § 112, first paragraph, for failure to enable the full breadth of the claims. Specifically, the Examiner argues that the

specification is enabled for the inhibition of the growth of human lung carcinoma by a single active ingredient, but does not reasonably provide enablement for the treatment of any other neoplastic disease condition or for the administration of a pharmaceutical composition wherein there is more than one active ingredient. The Examiner cites the breadth of the claims, the nature of the invention, the state of the prior art and the level of predictability in the art in support of this argument.

Claims 10 and 11 have been canceled. Claim 9 has been amended to limit the type of tumors being treated to carcinomas, which is consistent with the Examiner's suggestions regarding allowable subject matter. Thus, this rejection should be withdrawn.

Rejections under 35 USC § 112, second paragraph

Claim 11 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 11 has been canceled and, therefore, this rejection should be withdrawn.

In view of the foregoing, it is submitted that the present application is now in condition for allowance. Reconsideration and allowance of the pending claims are requested. The Director is authorized to charge any fees or credit any overpayment to Deposit Account No. 02-2135.

Respectfully submitted,

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